

## **FISCAL NOTE**

### **SB 202 - HB 729**

March 9, 2007

**SUMMARY OF BILL:** Creates a Class E felony to knowingly employ an illegal alien. Creates a Class A misdemeanor to recklessly employ an illegal alien. Creates a Class D felony to knowingly encourage or induce an illegal alien to come to Tennessee for the purpose of hiring such person. Offenses are punishable by fine only.

### **ESTIMATED FISCAL IMPACT:**

#### **MINIMAL**

Assumption:

- The penalties imposed by this bill are pre-empted by federal law, 8 U.S.C. § 1324a(h)(2), which provides: "The provisions of this section preempt any State or local law imposing civil or criminal sanctions (other than through licensing and similar laws) upon those who employ, or recruit or refer for a fee for employment, unauthorized aliens." The penalties therefore cannot be enforced and there will be no incarceration costs associated with enactment.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White".

James W. White, Executive Director